FC:2551

Dated: September 25, 2008

02 FC:1557

BLANK ROME ET AL → 915712738300#8838

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SEP 2 5 2008

2008 SEP 30 PM 4: 35

Approved for use through 04/30/2009. OMB 0851-0016

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF **Docket Number (Optional)** MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b)) 105773.0132 Mail to: Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Fax: (571) 273-8300 If information or assistance is needed in completing this form, please contact Petitions Information at NOTE: (571) 272-3282. **Application Number** 09/273,567 RE36,770 Patent No. March 22, 1999 July 11, 2000 Filing Date Issue Date Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent CAUTION: number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent, 37 CFR 1.366(c) and (d). Also complete the following information, if applicable The above-identified patent: is a reissue of original Patent No. 5,614,737 original issue date _ 08/504,335 original application number original filing date July 19, 1995 resulted from the entry into the U.S. under 35 U.S.C. 371 of international _____ filed on application 00000081 232185 RE36770 10/02/2008 DALLEN 65.00 DA 700.00 DA I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date spown below. (John B. Forrest)

BLANK ROME ET AL > 915712738300#8838

NO.050 D004

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OCT 0 3 2008

SEP 2 5 2008

OFFICE OF PETITIONS

PTO/SB/65 (08-08)

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U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number 1. SMALL ENTITY x | Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27. 2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g). 3. MAINTENANCE FEE (37 CFR 1.20(e)-(g)) The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier. **Small Entity NOT Small Entity** (Code) (Code) Amount Fee Amount \$ 465.00 3 ½ yr fee (1551)(2551) 3 1/2 yr fee 1,180.00 7 ½ yr fee (2552)7 1/2 yr fee (1552)(1553)11 1/2 yr fee 11 1/2 yr fee MAINTENANCE FEE BEING SUBMITTED \$ ____1,645.00 4. SURCHARGE The surcharge required by 37 CFR 1.20(i)(1) of \$ 700.00 (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee. SURCHARGE FEE BEING SUBMITTED \$ ____ 700.00 5. MANNER OF PAYMENT Enclosed is a check for the sum of \$ Please charge Deposit Account No. 23-2185 the sum of \$ 2,345.00 . Payment by credit card. Form PTO-2038 is attached. 6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. 23-2185

P005

PTD/S8/65 (08-08)
Approved for use through 04/30/2009. OMB 0651-0016
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

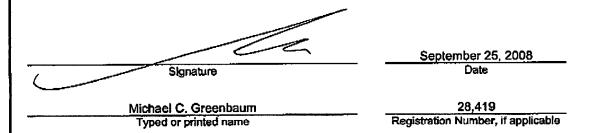
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7. OVERPAYMENT	
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reutioner/applicant is cautoried to avoid stuffing goods. contribute to identity theft. Personal information such as social security nurnouncers (other than a check or credit card authorization form PTO-2038 submit the USPTO to support a patition or an application. If this type of personal info the USPTO, petitioner/applicants should consider reducting such personal informent to the USPTO. Petitioner/applicant is advised that the record of a patition of the application (unless a non-publication request in compliance we or issuance of a patent. Furthermore, the record from an abandoned application is referenced in a published application or an issued patent (sauthorization forms PTO-2038 submitted for payment purposes are not retain publicly available.	inders, bank account numbers, or death card ted for payment purposes) is never required by immation is included in documents submitted to ormation from the documents before submitting tent application is available to the public after ifth 37 CFR 1.213(a) is made in the application ation may also be available to the public if the see 37 CFR 1.14). Checks and credit card
8. SHOWING	
The enclosed statement will show that the delay in timely payment or unavoidable since reasonable care was taken to ensure that the main and that this petition is being filed promptly after the patentee was not aware of, the expiration of the patent. The statement must enumerate payment of the maintenance fee, the date and the manner in which the expiration of the patent, and the steps taken to file the petition promption.	ntenance ree would be paid unery otified of, or otherwise became te the steps taken to ensure timety the patentee became aware of the
9, PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF 1	LHE WAINTENANCE FEE RE
ACCEPTED AND THE PATENT REINSTATED.	
	0tba-05 2000
	September 25, 2008 Date
Signature(s) of Petitioner(s)	Date
1	
Millian O. Connectioning	28.419
Michael C. Greenbaum Typed or printed name(s)	Registration Number, if applicable
typeo or printed name(s)	· 1=g-===================================
	1000 ATT 5000
1	(202) 772-5800
BLANK ROME LLP	Telephone Number
600 New Hampshire Ave., NW	
Washington, DC 20037 Address	
ENCLOSURES:	
Maintenance Fee payment	
X Statement of Andrew Yost why maintenance fee was not paid to	timely
Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenar	nce fee petition)
Other:	

15:53

PTQ/SB/65 (08-08)

Approved for use through 04/30/2009, OMB 0651-0018
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."



STATEMENT

(In the space below, please provide the showing of unavoidable delay recited in paragraph 8 above.)

The attached Statement of Andrew Yost provides the showing of unavoidable delay in payment of maintenance fees as required under 37 C.F.R. § 1.378(b)(3).



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OFFICE OF PETITIONS

Docket No.: 105773.0132

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of:

Dante E. PICCONE

Original Patent No.: 5,614,737

Patent No.: RE36770

Original Issue Date: March 25, 1997

Reissued: July 11, 2000

Application No.: 09/273,567

For: MOS-CONTROLLED HIGH-POWER

Filed: March 22, 1999

THYRISTOR

STATEMENT IN SUPPORT OF PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 C.F.R. § 1.378(B))

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This statement is submitted in support of a Petition to Accept Unavoidably Delayed Payment of Maintenance Fee in an Expired Patent (37 C.F.R. § 1.378(b)). The undersigned hereby states that:

- 1. it is the normal practice upon issuance of a patent for the firm of the undersigned to docket due dates for 3.5 year, 7.5 year, and 11.5 year maintenance fees into a computer docketing system, IPMaster, based upon the issue date of the patent and to use IPMaster to generate docket reports identifying maintenance fee due dates;
- 2. as a result of a clerical error, upon issuance of the subject patent, maintenance fee due dates were incorrectly docketed for September 25, 2004, September 25, 2008, and September 25, 2012, the 3.5 year maintenance fee due September 25, 2000, was not docketed, and the 3.5 year maintenance fee was not paid;

Patent No. RE36770 Statement in Support of Petition to Accept Unavoidably Delayed Payment of Maintenance Fee

15:53

2

Docket No.: 105773.0132

- 3, the error in docketing maintenance fee due dates was noted and corrected subsequent to the 3.5 year maintenance fee due date, however, due to another clerical error when correcting the docketing record nonpayment of the 3.5 year maintenance fee was not noted (attached hereto is a copy of the docket record of the subject patent);
- 4. the errors in docketing and failing to note nonpayment of the 3.5 year maintenance fee were clerical in nature and were the sole cause of the delay in payment of the 3.5 year maintenance fee;
- 5, it is the normal practice of the firm of the undersigned to record and identify all incoming mail from the Office relating to a patent or patent application in the docket record of the patent or patent application;
- 6. a notice relating to nonpayment of the maintenance fee, i.e., a Maintenance Fee Reminder or a Notice of Patent Expiration, or any other communication indicating that the subject patent had expired was not received at the fee address (see the attached copy of the docket record of the subject patent), a notice of expiration of the subject patent was not printed in the Official Gazette, and the patent status as identified in the Patent Application Information Retrieval (PAIR) system continues to identify the subject patent as a "Patented Case" and does not identify the status as "Expired" (a printout of the "Bibliographic Data" from the PAIR system is attached);
- 7. the undersigned first became aware of nonpayment of the 3.5 year maintenance fee on September 19, 2008, upon review of the application record in advance of the September 25, 2008, due date for payment of the 11.5 year maintenance fee;
- 8. the delay in payment of the 3.5 year maintenance fee is believed to be unavoidable in view of the reasonable care taken to docket and monitor the maintenance fee due date and to monitor communications relating to maintenance fee payment;
- 9. believing the patent to be in force, authorization to charge the 7.5 year maintenance fee to Deposit Account No. 23-2185 was provided to the Office on August 27, 2004, and receipt of

Patent No. RE36770
Statement in Support of Petition to Accept
Unavoidably Delayed Payment of Maintenance Fee

15:53

Docket No.: 105773.0132

said authorization acknowledged (attached hereto is a copy of the maintenance fee transmittal and return receipt with an OIPE date stamp of August 27, 2004);

3

- 10. any notice relating to the 7.5 year maintenance fee, i.e., notice of payment, nonpayment, or non-acceptance, was not received at the fee address, and the subject patent was still believed to be in force (please refer to the attached docket record);
- 11. the undersigned first became aware that the Office did not process payment of the 7.5 year maintenance fee on September 22, 2008, upon review of the August 2004 Statement of Deposit Account No. 23-2185 (a copy of which is attached hereto; additional maintenance fees included in the transmittal submitted August 27, 2004, were charged to Deposit Account No. 23-2185 on August 30, 2004); and
- 12. the delay in payment of the 7.5 year maintenance fee is believed to be unavoidable since authorization to charge the maintenance fee payment was provided to the Office and any notice of non-acceptance of payment or notice of nonpayment was not received at the fee address of record.

Dated: September 25, 2008

By D

Respectfully

Andrew H. Yost
IP Administrator
BLANK ROME LLP

09/25/2008

15:53

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Page 1 of 2

Patent Case Print 105773.0132 SMALL ENTITY

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Patent: 105773.0132

Silicon Power Corporation OFFICE OF PETITIONS

CONFIDENTIAL

MOS-CONTROLLED HIGH-POWER THYRISTOR

SMALL ENTITY Patent

Country: Status:

USA Granted Agent:

Silicon Power Corporation

Application: 3/22/1999 09/273567

Sub Status:

Issued

Client\Division: Client Reference:

Publication:

Case Type: Relation

REISSUE PATENT ORIGINAL OR PATENT

Operating Group:

Patent: Parent: 7/11/2000 RE36770 7/19/1995 USA 08/504335

Type:

CASE

Silicon Power Current Owner: Corporation

1st Filed: 7/19/1995

Filing Type: Filing #:

NATIONAL CASE

Previous Owner:

Tax Base:

9/25/1997

Attomey:

Peter S. Weissman Peter S. Weissman

ConfirmationNumber: Convention Type:

Deadline

Next Tax:

7/19/2015 Exolres:

Associate: Washington, D.C. File Location: Office

Created 3/22/1999 by LBC Updated 9/10/2008 by dbo

Inventors

Assignment Date Inventor Reel Frame **Inventor Name**

Action Due

PICCONE Dante E.

Actions

Action	Date	Date	Date	Notes
No Foreign Filing				NO FF PER MCG PER NANCY E-MAIL DTD 12/23/1999
111/2 Year U.S. Maintenance Fee	9/25/2012			
Expiration Date	7/19/2015			
Parent Filing Date			7/19/1995	
Filed			3/22/1999	
Filing Receipt Received?			4/19/1999	
Foreign Filling License Granted			4/19/1999	
Amendment			10/8/1999	RESP TO OA W/ LTRS PATENT FILED 10/08/1999-
				 2 MO OA DTD 8/26/1999 LST DAY 2/26/2000****
Issue Fee			3/3/2000	
Issue Notification			6/28/2000	Awaiting??
3½ Year U.S. Maintenance			9/25/2000	
Fee			-11	
71/2 Year U.S. Maintenance Fee			8/27/2004	PER CLT INSTR DTD 8/18/04 PLS PAY

Completed

Description

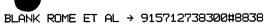
REISSUE PATENT APLN ENCL W/TRANS, SPECF, CLAIMS, DRGS, STMT UNDER 37 CFR 3.73(b) & OFFER TO SURRENDER PATENT STMT FILED 3/22/1999---- OFR DTD 4/19/1999 REC'D 4/28/1999--- PTO 2 MOS OA DTD 8/26/1999 REC'D 8/27/1999 AMDT DUE 10/26/1999 LST DAY 2/26/2000**** RESP TO OA W/ LTRS PATENT FILED 10/08/1999---- PTO NOA DTD 12/15/1999 REC'D 12/16/1999 ISSUE FEE DUE 3/15/2000***** NO FF PER MCG PER NANCY E-MAIL DTD 12/23/1999----- ISSUE FEE PAID 3/3/00----- PTO ISSUE NOTF REC'D 6/28/00----- LTRS PATENT REC'D 7/12/00----- SOFT COPIES REC'D 7/21/00------- OUR RTN LTR DTD 6/18/04 REC'D 8/20/04 W/INSTR TO PLS PAY 8TH YR TAX DUE 9/25/04 ***** MAINT FEE TRANSMITTAL (IN DUPL.)., FEE

NO.050 F011 Page 2 of 2

12TH YR ANNUITY DUE 09/25/08-----

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		2008::08:50:2
08/833,269	Customer Number:	-
08-31-1994	Status:	Patented Case
Re-Issue	Status Date:	04-14-2000
BAYERL, RAYMOND J	Location:	FILE REPOSITORY (FRANCONIA)
2773	Location Date:	05-20-2002
2312	Earliest Publication No:	-
Π-13268AR	Earlest Publication Date:	-
345/087	Patent Number:	RE36,670
LAVAUGHN F. WATTS , FEMPLE, TX (US)	Issue Date of Patent:	04-25-2000
	08/833,269 08-31-1994 Re-Issue BAYERL, RAYMOND J 2773 2312 TI-13268AR 845/087 AVAUGHN F. WATTS ,	Customer Number: 08-31-1994 Status: Re-Issue SAYERL, RAYMOND J Location: Location Date: Earliest Publication No: Earliest Publication Date: R45/087 AVAUGHN F. WATTS , Issue Date of

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600 New Hampshire Ave., N.W., Washingto: > → C 20037 Phone: 202.772.5800 • Fax: 202.572.8398

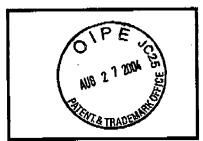
August 27, 2004

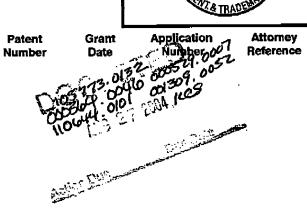
ROME

THE OFFICIAL DATE STAMP HEREON BY THE U.S. PATENT AND TRADEMARK OFFICE WILL ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

- Fee Address Form
- Maintenance Fee Transmittal (duplicate)

Patent Number	Grant Date	Application Number	Attorney Reference
5608167	3/4/1997	08/390980~	000364.0046
6204396	3/20/2001	09/472596	110644.01019
6248502	6/19/2001	09/631975	000529.0007
6249700	6/19/2001	09/449444	001309.0052
RE36770	7/11/2000	09/273567	105773.0132.







600 New Hampshire Ave., N.W., Washington, DC 20037 Phone: 202.772.5800 • Fax: 202.572.8398



August 27, 2004

Assistant Commissioner for Patents Box M Fee Washington, D.C. 20231



Enclosed herewith is the payment of the maintenance fee(s) for the listed patent(s).

- ☐A check in the amount of _ for the full payment of the maintenance fee(s) and any necessary surcharge on the following patents is enclosed.
- The Commissioner is hereby authorized to charge \$4,955.00 to cover the payment of the fee(s) indicated below to Deposit Account No. 23-2185.
- The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 23-2185.

Patent Number	Grant Date	Application Number	Attorney Reference	For	Fee Status	Maintenance Fee	Surcharge
5608167	3/4/1997	08/390980	000364.0046	Year 8 Tax	LARGE ENTITY	\$2,090.00	\$0.00
6204396	3/20/2001	09/472596	110644.0101	Year 4 Tax	SMALL ENTITY	\$455.00	\$0.00
6248502	6/19/2001	09/631975	000529.0007	Year 4 Tax	SMALL ENTITY	\$455.00	\$0.00
6249700	6/19/2001	09/449444	001309.0052	Year 4 Tax	LARGE ENTITY	\$910.00	\$0.00
RE36770	7/11/2000	09/273567	105773.0132	Year 8 Tax	SMALL ENTITY	\$1,045.00	\$0.00
	*	 	<u> </u>	S	ubtotals:	\$4,955.00	· · · · · · · · · · · · · · · · · · ·

Total Payment

\$4,955.00

Customer Number: 002779

BLANK ROME, LLP

Watergate

600 New Hampshire Avenue, N.W.

Washington, D.C. 20037

Telephone: (202) 772-5800 Facsimile: (202) 572-1400

Respectfully submitted

Michael C. Greenbaum Attorney for applicant Registration number: 28,419 Deposit Account Statement



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Deposit Account Statement

Requested Statement Month:

August 2004

Deposit Account Number:

232185

Name:

BLANK ROME LLP

Attention:

Street Address 1:

ACCOUNTS PAYABLE

600 NEW HAMPSHIRE AVENUE, NW

Street Address 2:

WASHINGTON

City: State:

DC

Zip:

20037

Country:

UNITED STATES

			ATTORNEY			
DATE	SEQ	POSTING REF TXT	DOCKET	FEE CODE	AMT	BAL
		IXE: IXI	NBR			
08/02	90	PAYMENT		9203	-\$300.00	\$12,124.37
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08/02		PAYMENT			-\$400.00	\$13,949.37
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08/05	49	10807308	114122-00153	1051	\$130.00	\$12,609.37
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08/05	•	REPLENISHMENT		9204	-\$150.00	\$12,474.37
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		2266802	110778.00102	7208	\$200.00	\$11,734.37
			121431-00101	8521	\$40.00	\$11,694.37
- - · · · ·	7 7	1824119			•	• •
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Deposit Account Statement

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08/13	265	76033598	115035.00102	7004	\$300.00	\$10,514.37
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08/16	94	PAYMENT		9203	-\$600.00	\$10,994.37
08/16	95	PAYMENT		9203	-\$40.00	\$11,034.37
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08/19	1274	1824119	121431.00101	7201	\$400.00	\$10,654.37
08/19	1275	1824119	121431.00101	7206	\$100.00	\$10,554.37
08/19	1276	1824119	121431.00101	7203	\$100.00	\$10,454.37
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08/20	73	PAYMENT		9203	-\$1,050.00	\$11,804.37
08/20	6	REPLENISHMENT	•	9204	-\$300.00	\$12,104.37
08/20	7	REPLENISHMENT		9204	-\$150.00	\$12,254.37
08/20	8	REPLENISHMENT		9204	-\$670.00	\$12,924.37
08/20	9	REPLENISHMENT		9204	-\$600.00	\$13,524.37
08/23	8	0989989	111869.00108	8521	\$40.00	\$13,484.37
08/23	299	2138663	232185	7205	\$100.00	\$13,384.37
08/23	300	2138663	232185	7208	\$200.00	\$13,184.37
08/23		2138663	232185	7206	\$100.00	\$13,084.37
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		78471761	120004	7001	\$335.00	\$12,414.37
		78471763	120004	7001	\$335.00	\$12,079.37
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08/24	446	78472053	120004	7001	\$335.00	\$11,409.37
08/24		78472059	12004	7001	\$335.00	\$11,074.37
08/25	37	78472521	000011.00065	7001	\$1,005.00	\$10,069.37
08/25	881	2271953	110775.00104	7205	\$100.00	\$9,969.37
08/25	882	2271953	110775.00104	7208	\$200.00	\$9,769.37
08/25	6	PCT/US04/21866		9204	-\$700.00	\$10,469.37
08/25	9	PCT/US04/21867		9204	-\$700.00	\$11,169.37
08/25		PAYMENT		9203	-\$400.00	\$11,569.37
08/25		PAYMENT		9203	-\$770.00	\$12,339.37
08/25		60603556	000533-00121	2005	\$80.00	\$12,259.37
08/26		78167487	116315.00168	7402	\$300.00	\$11,959.37
08/26	7	PAYMENT		9203	-\$40.00	\$11,999.37

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Deposit Account Statement

08/26 8	PAYMENT		9203	-\$1,005.00	\$13,004.37
08/26 263	0134570826	111418-00450	8013	\$26.00	\$12,979.37
08/26 264	0134570826	111418-00450	8023	\$40.00	\$12,939.37
08/26 29	10807308	114122-00153	1051	-\$1 30.00	\$13,069.37
08/26 46	10830442	112139-00119	8021	\$40 .00	\$13,029.37
08/26 375	10266699	000560-00113	1501	\$1,330.00	\$11,699.37
08/26 376	10266699	000560-00113	1504	\$300.00	\$11,399.37
08/27 37	60551012	116710-00102	1460	\$130.00	\$11,269.37
08/27 11	PAYMENT		9203	-\$335.00	\$11,604.37
08/27 12	PAYMENT		9203	-\$335.00	\$11,939.37
08/27 13	PAYMENT		9203	-\$335.00	\$12,274.37
08/27 14	PAYMENT		9203	-\$335.00	\$12,609.37
08/27 15	PAYMENT		9203	-\$335.00	\$12,944.37
08/27 24	PAYMENT		9203	-\$300.00	\$13,244.37
08/27 47	PAYMENT		9203	-\$335.00	\$13,579.37
08/30 217	78053980	116315.00102	7003	\$100.00	\$13,479.37
08/30 316	1849751	810546.00169	7205	\$100.00	\$13,379.37
08/30 318	1849751	810546.00169	7206	\$100.00	\$13,279.37
08/30 319	1849751	810546.00169	7203	\$100.00	\$13,179.37
08/30 317	1849751	810546.00169	7201	\$400.00	\$12,779.37
08/30 11	PCT/US04/23115		9204	-\$700.00	\$13,479.37
08/30 150	5608167		1552	\$2,090.00	\$11,389.37
08/30 151	6204396		2551	\$455.00	\$10,934.37
08/30 152	6248502		2551	\$455.00	\$10,479.37
08/30 153	6249700		1551	\$910.00	\$9,569.37
08/30 1	PAYMENT		9203	-\$1,630.00	\$11,199.37
08/30 3	PAYMENT		9203	-\$700.00	\$11,899.37
08/30 4	PAYMENT		9203	-\$300.00	\$12,199.37
08/31 25	PAYMENT		9203	-\$4,955.00	\$17,154.37
08/31 180	0112680663	000687.00268	8014	\$25.00	\$17,129.37
	START	SUM OF	SUM OF	END	
	BALANCE	CHARGES	REPLENISH	BALANCE	
	\$11,824.37	\$17,415.00	\$22,720.00	\$17,129.37	•
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